### **Advocacy Teams**



# Frequently Asked Questions on Military Spending and Pentagon Wish Lists

#### What exactly are "unfunded priorities lists?"

"Unfunded Priorities Lists" or UPLs, known colloquially as the Pentagon's wish lists, are requests made to Congress by the leaders of various Department of Defense agencies, combatant commands, and armed services branches for programs they would pursue *if only they had the funding for it*.

These requests are extra-budgetary, meaning they are for programs that have been left off the President's yearly budget request. The lists have been around since the 1990s, but Congress made their annual submission mandatory in a provision of the annual defense policy bill, the National Defense Authorization Act (NDAA) for fiscal year 2017.

# When do the UPLs come out? What does the timeline for these lists look like?

Under law, the President is required to submit their budget request to Congress on the first Monday of February every year, although they routinely come out much later. This year, the President's budget request for fiscal year 2025 came out on March 11. The wish lists are due to the lead Democrats and Republicans of the House and Senate Armed Services Committees (the chairs and ranking members) 10 days after the President's budget request has been submitted.

## Are veterans a separate category from the Pentagon budget? Does it make sense to talk about that as an alternative to the UPLs?

Yes, the Department of Veterans Affairs budget process is separate from that of the Department of Defense. Veterans' issues sometimes come up in the NDAA, but when it comes to the

appropriations process, they are considered separate issues. There is one appropriation <u>subcommittee</u> for defense, another one that covers veterans' affairs, and another one that covers military construction and related projects. Thus, it may not make sense to talk about veterans' affairs as an alternative to UPLs.

# What exactly does the Streamline Pentagon Budgeting Act (H.R. 4740) do? Does it repeal the unfunded priorities lists themselves?

The Streamline Pentagon Budgeting Act (H.R. 4740) is the first step toward ridding the UPLs themselves, but it doesn't end them. Rather the bill only repeals the mandate that requires the military to provide annual UPLs. This distinction can be important for members of the Armed Services Committees, who may or may not worry about the security risks of defunding the lists entirely.

Conversely, Rep. Pramila Jayapal's (WA-7) proposed <u>amendment</u> to the NDAA for fiscal year 2024 would have defunded the UPLs entirely. While we are not currently lobbying for this, the vote <u>record</u> for Rep. Jayapal's amendment is a helpful tool for determining which members of Congress would likely cosponsor or vote for H.R. 4740.

# If the Secretary of Defense doesn't support the mandate for these lists, why do they still exist?

The UPLs have a lot to do with parochial interests. For example, the military leader responsible for overseeing an expensive new aircraft's development may pay a professional price for their program's failure, hence its inclusion on a UPL. Competition between the services and the revolving door between military leaders and contractors contribute to this imperative to keep bad programs running.

The Biden administration requires that these lists be submitted to the Secretary of Defense before Congress, but the Secretary of Defense is highly unlikely to expend political capital to eliminate funding for a UPL request.

#### What are the total costs of the past Unfunded Priorities Lists?

The UPLs for fiscal years 2020, 2021, and 2022 totaled at least \$10 billion, \$18 billion, and \$24 billion, respectively. The exact cost of these lists can be difficult to determine, as they are often submitted in classified form. Further, some UPL items are also included in the NDAA even though they were not included in the President's original budget request.

For fiscal year 2023, the armed services submitted <u>two</u> UPLs that comprised approximately \$50 billion in requests combined. The services cited inflation concerns for the dramatic rise in costs.

According to a <u>report</u> from the American Enterprise Institute (AEI), the UPLs for fiscal year 2024 totaled around \$17 billion.

The most recent lists, submitted in March 2024 for fiscal year 2025, total more than \$30 billion across the services. That's more than \$11.8 billion more than what was requested in the lists in the previous fiscal year.

#### Where can we find past UPLs?

Unfortunately, there isn't one place to find all past UPLs.

You can find the UPLs for the past three years here: <u>Fiscal Year 2022</u>, <u>Fiscal Year 2023</u>. An <u>additional UPL</u> for fiscal year 2023, submitted in November 2022, was never made available to the public.

# Are they incorporated into the NDAA, and do they follow a separate process from the President's Budget request or are they part of the appropriations process? How are they considered by Congress?

Unfunded Priorities Lists, originally submitted on a voluntary basis by military services to highlight important items not included in the President's Budget, are reviewed by Congress during the drafting of the National Defense Authorization Act (NDAA) and may be incorporated into it. UPLs also influence appropriations bills, which provide actual funding. In past years, the lists have been used as a basis for topline defense spending increase amendments within the NDAA and justification for members to push for specific line items within the lists.

The NDAA authorizes programs, while appropriations bills allocate funding as it relates to the President's Budget, the NDAA, and items highlighted through UPLs.

#### What is the time expediency for lobbying on the UPLs?

The time expediency for removing the mandate for UPLs depends on the legislative action you take to do so. The options are typically to push the mandate repeal through an NDAA amendment or a standalone bill. Since standalone legislation is so difficult to pass, especially given fierce partisanship, we rely on the must-pass NDAA to allow for on-the-record committee discussions about the bill and even for overall passage. Even if we submit an amendment and it

doesn't get included in the NDAA, we still refer people to the standalone legislation since we can use the cosponsor list the next year to frame our outreach and measure our progress.

#### What are some egregious examples of requests from previous UPLs?

The <u>UPLs</u> for fiscal year 2024 included the M1 Abrams tank, the largest item requested by the Army, at a cost of \$533 million. Col. Mark Cancian, U.S. Marine Corps and Reserves (ret.) <u>said</u> "Every year, the Army cuts its request for this program, and every year Congress adds money. Thus, this constitutes a brazen plea for Congress to provide money that the Army did not."

The lists from U.S. Strategic Command (STRATCOM) and Missile Defense Agency, both related to nuclear weapons, have not been made public for FY24. Changes in nuclear posture, all of which can be risky amid high geopolitical tensions, should not be made in the UPLs!

# What are some examples of particularly problematic requests on the UPLs for fiscal year 2025?

It's not always helpful to get into the weeds on these issues, so do so sparingly if at all. The following are a few examples of items from the most recent lists that may raise alarm bells, however, as requested by several advocates:

For the first time, the Under Secretary of Defense for Research and Engineering has submitted a UPL totaling \$81 million. While this figure is a drop in the bucket of overall Pentagon spending, it is an unprecedented move which raises questions about the UPLs' main utility according to some offices – consulting the needs of lower-level servicemembers rather than solely accounting for political appointees' perspectives which are represented in the President's actual budget request.

The mandate for these lists continues to present a bureaucratic burden. Three combatant commands requested nothing – U.S. Strategic Command, Cyber Command, and Transportation Command, the latter of which has <u>repeatedly</u> requested nothing over the last few years. Considering the budget caps imposed by the 2023 Fiscal Responsibility Act and cost overruns incurred by programs like STRATCOM's Sentinel nuclear program, these lists have clearly outworn their welcome amid budget dysfunction.

The National Nuclear Security Administration's list, which has not been made public and is estimated to total around \$5 billion, includes \$70 million for the sea-launched nuclear cruise missile (SLCM-N). The inclusion of this escalatory weapon in the lists – a weapon the Biden

administration has repeatedly said it does not want – undermines the military planning of the Pentagon. You can read more about the risk of this nuclear weapon <a href="here">here</a>.